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**Via Facsimile 612-338-8690 & U.S. Mail**

June 28, 2006

William LeMire, Esq.  
Foley & Mansfield  
250 Marquette Ave., Suite 1200  
Minneapolis, MN 55401

Re: Chicago Avenue Partners v. Broan-Nutone, L.L.C.  
Our File No. 54-17004

Dear Mr. LeMire:

In response to your letter faxed today, if plaintiff's expert can identify the model of the ventilation fan, and a lawsuit is commenced on that basis, the defendant cannot just throw its hands in the air, assert that the defendant's expert cannot make an identification, and then refuse to produce documents and answer interrogatories on that basis.

I spoke to Magistrate Judge Graham's clerk regarding the discovery issues in the above-referenced matter. She advised that the issue could possibly be addressed by a telephone conference, rather than a hearing, if all parties are in agreement. Please let me know if you are willing to do this. If you are, I will take care of setting it up. If not, I will schedule a hearing on the motion to compel.

Sincerely,



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akiehl@flynnngaskins.com

cc: Jeffrey C. Schmidt